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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 RICHARD HUSTON,  
12 PLAINTIFF,  
13 v.  
14 PAULETTA IRWIN, et al.,  
15 DEFENDANTS.  
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Case No. CV 15-7344 R (SS)  
**ORDER SUMMARILY REMANDING  
IMPROPERLY-REMOVED ACTION**

17 The Court will remand this unlawful detainer action to state  
18 court summarily because Defendant removed it improperly.  
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20 On September 18, 2015, Defendant Pauletta Irwin, having been  
21 sued in what appears to be a routine unlawful detainer action in  
22 California state court, lodged a Notice Of Removal of that action  
23 to this Court and also presented an application to proceed  
24 in forma pauperis. The Court has denied the latter application  
25 under separate cover because the action was not properly removed.  
26 To prevent the action from remaining in jurisdictional limbo, the  
27 Court issues this Order to remand the action to state court.  
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1        Simply stated, this action could not have been originally  
2        filed in federal court because the complaint does not competently  
3        allege facts supporting either diversity or federal-question  
4        jurisdiction, and therefore removal is improper. 28 U.S.C.  
5        § 1441(a), see Exxon Mobil Corp v. Allapattah Svcs., Inc., 545  
6        U.S. 546, 563 (2005). Defendant's notice of removal only asserts  
7        that removal is proper based upon federal question jurisdiction.  
8        (Notice at 2). However, the underlying unlawful detainer action  
9        does not raise any federal legal question.

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11        Accordingly, IT IS ORDERED that (1) this matter be REMANDED  
12        to the Superior Court of California, County Of Los Angeles, 6230  
13        Symar Avenue, Van Nuys, CA 91401, for lack of subject matter  
14        jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk  
15        send a certified copy of this Order to the state court; and  
16        (3) that the Clerk serve copies of this Order on the parties.

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18        IT IS SO ORDERED.

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20        DATED: October 1, 2015

  
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21        MANUEL L. REAL  
22        UNITED STATES DISTRICT JUDGE  
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